

Appln No. 10/628,026
Amdt date May 25, 2007
Reply to Office action of April 5, 2007

REMARKS/ARGUMENTS

Claims 1-24 remain in the present application, of which claims 1, 12 and 15 are independent. Claims 1, 12 and 15 have been amended herein. Claim 25 has been cancelled without prejudice. The limitation of claim 25 has been substantially incorporated into claim 1 from which claim 25 depended. No new matter has been added. Since the amendments to claims 1, 12 and 15 introduce the limitation similar to the limitation previously in claim 25, together with a clarification, Applicants respectfully request that the amendments to claims 1, 12 and 15 be entered as requiring no additional search. Applicants further respectfully request reconsideration and allowance of claims 1-24.

I. Rejection of Claims 1-6, 8-10, 12, 14-20 and 22-25 under 35 U.S.C. § 102(b)

Claims 1-6, 8-10, 12, 14-20 and 22-25 were rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Althaus (U.S. Patent No. 6,097,521). Since claim 25 is canceled herein, the rejection of claim 25 is now moot.

In rejecting claims 1, 12 and 15, the Examiner contends on page 2 of the Office Action that Althaus teaches "the monitor photodetector being adapted to produce a control signal as a function of the received second portion of the optical transmission beam," and cited column 5 lines 30-32 and column 7, lines 4-11. Applicants respectfully submit that such "a control signal as a function of the received second portion of the optical transmission beam" is not explicitly disclosed in the sections of Althaus cited by the Examiner. Further, according to column 7, lines 4-11 of Althaus, "[t]his monitor diode 21 essentially serves to check the radiation 7 emitted from the transmitted component 2 for its wavelength." (emphasis added). Therefore, Althaus does not teach monitoring of the intensity of the emitted radiation in the sections cited by the Examiner.

Further, in rejecting claim 25, the Examiner contends on page 4 of the Office Action that "Althaus teaches that the monitor photodetector is configured to receive the second portion of the optical transmission beam directly from the laser diode (as seen in Figure 1)." (emphasis added). However, in Althaus, as can be seen in Figure 1, the monitor photodetector 21 receives a portion

of the emitted radiation 7 through the prism cube 14 which the Examiner appears to equate to a reflective mirror. As such, Althaus does not disclose that "the monitor photodetector is configured to receive the second portion of the optical transmission beam directly from the laser diode without the second portion passing through the reflective mirror."

Independent claim 1 recites, in a relevant portion, "the monitor photodetector being adapted to produce a control signal as a function of the received second portion of the optical transmission beam, wherein the monitor photodetector is configured to receive the second portion of the optical transmission beam directly from the laser diode without the second portion passing through the reflective mirror."

Independent claim 12 recites, in a relevant portion, "receiving a second portion of the optical signal on a light receiving facet of a monitor photodetector directly from the laser diode without the second portion of the optical signal passing through the reflective mirror . . . generating a control signal proportional to intensity of the optical signal as a function of the received second portion of the optical signal."

Independent claim 15 recites, in a relevant portion, "the monitor photodetector is configured to receive the second portion of the optical transmission beam directly from the laser diode without the second portion passing through the reflective mirror, and wherein the monitor photodetector is adapted to produce a control signal as a function of the received second portion of the optical transmission beam."

Since Althaus does not disclose at least one element of each of claims 1, 12 and 15, claims 1, 12 and 15 are not anticipated by Althaus. Therefore, Applicants request that the rejection of claims 1, 12 and 15 be withdrawn and that these claims be allowed.

Since claims 2-6, 8-10, 14, 16-20 and 22-24 depend, directly or indirectly, from claims 1, 12 or 15, they each incorporate all the terms and limitations of claims 1, 12 or 15 in addition to other elements, which together further patentably distinguish them over the cited references. Therefore, Applicants request that the rejection of claims 2-6, 8-10, 14, 16-20 and 22-24 be withdrawn and that these claims be allowed.

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II. Rejection of Claims 7, 11, 13 and 21 under 35 U.S.C. § 103(a)

Claims 7, 13 and 21

Claims 7, 13 and 21 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Althaus in view of Inoue (U.S. Patent No. 6,975,813).

Inoue is being cited for the proposition that it "teaches that such a configuration [a gain stage coupled to the monitor photodetector and adapted to convert the control signal to a voltage proportional to the intensity of the optical transmission beam and a control adapted to compare the voltage to a reference voltage and to adjust drive current of the laser diode in accordance with the comparison] is well known in the art."

However, Inoue does not overcome the deficiency of Althaus to reject claims 1, 12 and 15. Therefore, claims 1, 12 and 15 are patentably distinguishable over Althaus and Inoue. Since claims 7, 13 and 21 depend from claims 1, 12 or 15, they each incorporate all the terms and limitations of claims 1, 12 or 15, in addition to other elements, which together further patentably distinguish these claims over the cited references. Therefore, Applicants request that the rejection of claims 7, 13 and 21 be withdrawn and that these claims be allowed.

Claim 11

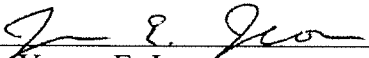
Claim 11 was rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Althaus. Since claim 11 depends from claim 1, it incorporates all the terms and limitations of claim 1 in addition to other limitations, which together further patentably distinguish claim 11 over the cited references. Therefore, Applicants request that the rejection of claim 11 be withdrawn and that this claim be allowed.

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III. Concluding Remarks

In view of the foregoing amendments and remarks, Applicants earnestly solicits an early issuance of a Notice of Allowance with claims 1-24. If there are any remaining issues that can be addressed over the telephone, the Examiner is cordially invited to call Applicants' attorney at the number listed below.

Respectfully submitted,
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